

STATEMENT OF GENERAL SPECIFICATION TERMS AND CONDITIONS

NOTE: THIS SPECIFICATION AND ANY ACCOMPANYING SPECIFICATION OR BID CAN BE APPEALED.

YOUR APPEAL MUST BE SUBMITTED IN WRITING TO THE CITY PURCHASING DIRECTOR FOR ALL BIDS NO LATER THAN FIVE (5) WORKING DAYS PRIOR TO BID OPENING.

YOUR APPEAL MUST NOT ONLY IDENTIFY THE PROVISION, TERM OR CONDITION THAT IS CAUSING PROBLEMS, BUT ALSO YOUR PROPOSED ALTERNATE POSITION, TERM OR CONDITION AND BE SUPPORTED BY TECHNICAL DATA, TEST RESULTS AND OTHER INFORMATION.

CONTACT THE APPROPRIATE PURCHASING AGENT OR THE PROCUREMENT SPECIALIST FOR APPEAL FILING INSTRUCTIONS.

APPEALS RECEIVED LATER THAN FIVE (5) WORKING DAYS PRIOR TO BID OPENING OR WITHOUT SUFFICIENT DETAILS **WILL NOT BE CONSIDERED.**

NOTICE

AN APPEAL FEE (CHECK OR MONEY ORDER) WHICH IS 1% OF THE ESTIMATED DOLLAR AMOUNT OF THIS CONTRACT IS REQUIRED WITH A BID SPECIFICATION APPEAL. THIS FEE IS A PREREQUISITE FOR PURSUING THE APPEAL AND MUST ACCOMPANY THE APPEAL. THE APPEAL FEE WILL BE RETURNED IF THE APPEAL IS UPHELD.

CAUTION: A BID THAT DOES NOT FULLY COMPLY WITH ALL OF THE PROVISIONS, TERMS, AND CONDITIONS OF THIS OR ANY ACCOMPANYING SPECIFICATION AND BID, MAY BE DETERMINED AS A COUNTEROFFER AND MAY RESULT IN THE BID BEING REJECTED FOR NON-RESPONSIVENESS.

- I. **GENERAL:** It is the intent of this specification and all accompanying specifications to describe the minimum requirements for equipment to be purchased by the City of Milwaukee. All items, details of construction, services or features not specifically mentioned which are regularly furnished in order to provide a completed unit shall be furnished at the bid price and shall conform in strength, quality and workmanship to that usually provided by the practice indicated in all applicable specifications.

II. AWARD AUTHORITY:

- A. The City Purchasing Director will be the sole judge of the quality and suitability of the equipment, materials and/or services in its determination of the successful bidder for all bids.

- III. DESCRIPTION: A bid may not be considered if a bidder has failed to show without a doubt that they are bidding on regularly manufactured equipment and/or material tried, proven and in current use. A list of three or more users shall be furnished upon request after bid opening. **VENDOR SHOULD PROVIDE PRINTED LITERATURE WITH THE BID. IF NOT RECEIVED WITH THE BID, BUT REQUESTED BY THE DOA, BUSINESS OPERATIONS DIVISION, PROCUREMENT SERVICES SECTION, THE PRINTED LITERATURE MUST BE SUBMITTED WITHIN THREE (3) WORKING DAYS OF RECEIVING A REQUEST OR THE BID WILL BE REJECTED.** THIS LITERATURE SHALL CONFIRM THAT THE EQUIPMENT AND/OR MATERIAL BEING BID FULLY COMPLIES WITH ALL OF THE PROVISIONS OF ALL APPLICABLE SPECIFICATIONS.

FAILURE TO PROVIDE COMPLETE PRINTED LITERATURE AS INDICATED ABOVE MAY RESULT IN BID REJECTION.

- A. All similar equipment purchased under one contract shall have interchangeable component parts and accessories.
- B. Bidder shall bid on the latest model of this type of equipment manufactured by the concern, which they represent. The purchased equipment shall be new and unused. Factory rebuilt equipment will not be considered.
- IV. UNSUITABLE EQUIPMENT/MATERIALS: Bids will not be considered for equipment or materials which have previously failed to perform satisfactorily the functions described in the "SERVICE REQUIREMENTS" section of the accompanying specification(s), or from contractors or subcontractors who have a history of performance problems with the City.
- V. DEMONSTRATION: Upon request, bidders shall submit equipment on which they bid within ten (10) days of bid opening, or as otherwise approved by the City, for demonstration before award of the contract.
- VI. SAFETY REQUIREMENTS: Vehicles and equipment shall comply with all applicable FMVSS, OSHA and ANSI standards in effect at time of manufacture.

- VII. RADIO INTERFERENCE: Any vehicle purchased as a part of these specifications may have radio equipment installed for Public Safety communications requirements. It is imperative that the electrical/electronic systems of this vehicle NOT cause interference on Public Safety radio channels operated by the City, the Milwaukee Police Department and the Milwaukee Fire Department. All electrical/electronic systems of this vehicle shall comply with electromagnetic radiation requirements of the applicable sections of Part 15 of the Federal Communications Commission regulations.
- VIII. BRAND NAMES:
- A. REFERENCES: If articles have been identified in the bid by a brand name and model number, such reference is intended to be descriptive but not restrictive. It is for the sole purpose of indicating to the prospective bidders a description of articles that will be satisfactory. Other items of equal quality will be considered.
- B. SUBSTITUTIONS: Unless the bidder clearly indicates in their bid that they are offering a different article, their bid shall be considered as an offering of the brand name article as referenced.
- IX. SERVICING: Equipment shall be serviced and washed by the vendor before delivery.
- X. DEALERSHIP EMBLEMS/LOGOS: The vendor shall not install on this equipment, any logos, nameplates or stickers denoting the name of their company or dealership which may be construed as advertising. Failure to comply with this requirement shall result in the dealership being given the option to remove same, or reimburse the City for removal and restoration, if needed, at the prevailing City hourly labor rates for an Automotive Body Mechanic/Painter.
- XI. SUB-CONTRACTING:
- A. The contractor shall be responsible for the work of all their subcontractors, that all work is performed in accordance with all specifications and in compliance with manufacturer's recommendations and procedures. Such work includes frame modification, plow hitch installation, customized bodywork, etc.
- B. The contractor shall also assume full warranty responsibility, which shall include all work performed or parts furnished by their subcontractors.
- C. The contractor's choice of subcontractor(s) shall be subject to City approval.
- XII. PRE-AWARD CONFERENCE: Attendance at a pre-award conference may be necessary to verify compliance with this specification.